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# BASEBALL and RACING

PRICE ONE CENT.

NEW YORK, THURSDAY, AUGUST 29, 1901.



## TUNNEL NUISANCE MUST BE ABATED.

Health Board Notifies New York Central Company to Make Necessary Improvements.

The agitation concerning the tunnel of the New York Central Railroad under Park avenue, in which hundreds of complaints have been made to the Board of Health, reached a culmination to-day when President Sexton issued an order requiring radical improvements in the construction and the drainage of the tunnel.

The demands are made to insure proper ventilation of the underground way, which is a source of torture to passengers, especially in hot weather. But at all seasons it is a source of discomfort. Health inspectors have discovered defects in the sewage system.

Commissioner Sexton took the matter up immediately on returning from his vacation at Saratoga. The order which follows was placed in the hands of the proper authorities for service on President William H. Newman, of the Railroad Company.

To William H. Newman, President of the New York Central Railroad, reported as President of premises hereinafter named:

Sir—You are hereby required, in conformity with the provisions of the Sanitary Code and the health laws, to alter, repair, cleanse and improve the premises, the tunnel of the New York Central Railroad, from Fifty-sixth street to Ninety-fifth street, Borough of Manhattan, New York City, as follows, viz:

**Remedy the Sewage System.**

"That the sewers under the surface of the floor under the tunnel be properly closed gas tight; that proper and sufficient water-closet accommodations be provided for the employees of said tunnel; that the brick and stone sustaining walls between the two sections of the tunnel

be removed and proper and sufficient steel girders in column be placed in lieu of same; that the small shafts, which ventilate the tunnel between Sixty-seventh and Seventy-first streets and between Eighty-first and Ninety-fifth streets, be enlarged and extended on every block in a like manner to conform with the ventilating shafts from Fifty-sixth to Sixty-seventh street.

Attached to the order is the following paragraph calling President Newman's attention to the law on the matter:

**The Law in the Case.**

Your attention is called to the fact that by section 1,172, chapter 378, Laws of 1897, it is provided that any violation of any sanitary code or health laws subjects the person responsible therefor to penalty, and this notice is sent to you in order that the necessity of legal proceedings may be avoided by your complying with the foregoing requirements within five days from the receipt of this notice.

Any application for a necessary extension of time or for suspension of any part of the above requirements must be made to this department through the Assistant Sanitary Superintendent of the Borough of Manhattan, within three days of receipt of this notice.

**Sexton Determined.**

When Commissioner Sexton was asked about his action in removing the enormous gases from the railroad tunnel he said:

"I am determined that these improvements shall be made, and I will see that the law in the matter is lived up to. If the improvements are not made I will seek the aid of the law to compel the railroad company to make them. I will do everything that is in my power in the matter."

President Newman, of the Central, after receiving this order this afternoon said that nothing could be given to the public about the matter until he had consulted with the engineering and law departments.

## DIAMOND MUST PLEAD TO-MORROW

Justice Giegerich Modifies Stay, and District Attorney Puts Case on Calendar.

Justice Giegerich this afternoon granted the motion of the District Attorney modifying the order in the Diamond case in so far as to strike out that portion which stays all proceedings pending the arguments for the change of venue and the transferring of the case to the Supreme Court.

On the motion for the change of venue the Justice reserved his decision.

In so far as the case has gone, it is a complete victory for the District At-

torney, and Capt. Diamond must plead to-morrow as Mr. Philbin can arrange matters.

When Justice Giegerich announced his decision, District Attorney Philbin hurried to his office and immediately placed Capt. Diamond's case on the calendar for to-morrow.

The Captain will be notified to be on hand to plead to the indictment against him. Philbin was slated over his victory.

## GIANTS HAD QUAKERS AS FOES.

Puzzled Fans Welcomed Davis's Men on Return from Slowtown.

TAYLOR WAS IN THE BOX

Game was Nip and Tuck Affair at Start, with Good Work Afield by Both Teams.

**The Batting Order.**

New York: Selbach, lf. Strang, 2b. Van Hiltren, cf. Davis, ss. McBride, rf. Murphy, 3b. Bowerman, c. Taylor, p.

Philadelphia: Thomas, cf. Barry, 2b. Flick, rf. Delehaanty, lf. Jacklitz, c. Jennings, 3b. Hallman, 1b. Croes, ss. Townsend, p.

Umpire—Dwyer.

(Special to The Evening World.)

POLO GROUNDS, Aug. 29.—The fans of Gotham came to the Polo Grounds this afternoon in a curious state of mind. When the Giants left New York to go to Philadelphia they appeared to be in a hopeless slump. But to the surprise and delight of their admirers in New York, Davis's men won three beautiful games in succession from Hughie Jennings's team of Quakers. This was all the more surprising because the Phillies, just now, possibly excepting the Brooklyn, are the hardest team in the League to run up against.

True, the Giants fell down in the fourth game, but four straight were more than any nine in the League could expect to take from Philadelphia, and there was a good excuse for losing, too. To put it man like Van Hiltren, who hasn't pitched ball since the war, was like handling the game on a silver platter to Philadelphia.

**Fans Looked and Wondered.**

So the Giants came back to their stamping grounds this afternoon in a very cheerful frame of mind, and each man fancied he had a feather in his cap. The fans were on hand in goodly numbers to greet them, and they wondered whether it was all true or not.

Perhaps it was only a "paper" dream that the Giants had won three straight from the Phillies. It seemed too good to be true. At any rate they would see to-day whether there has been a startling improvement in the Giants' form or not.

Davis arrived at the clubhouse early and got into his uniform. Then he called his players around him and gave them a terse, but warm heart-to-heart talk. The burden of it all was that the Giants had shown they could play, that there was no excuse for their not playing game, and they might better do some more of it, or lightning might strike the camp.

They sauntered out onto the diamond and began practice. Every New Yorker seemed to be anxious to get to work. Fielders were full of ginger and the pitchers served up sizzling curves that whanged into the catchers' mits with sharp reports. Fielders got all the long flies without trouble and not a grounder was fumbled.

Jennings and his men tore up the grass scamping after grounders for a while, and their practice work was quite as good, if not better, than that of the Giants. The Quaker captain said "it was all a mistake the Giants winning three games from us and it was a mistake on our part to let it go through. We monkeyed around until we lost our hold on second place and then woke up. Never mind, there will be something doing to-day, and maybe we will win three straight, just to show there's no hard feeling."

When the game began at 4 o'clock there was an unusually good crowd on hand. The fans of Selbachville filled the bleachers and the grand stand was comfortably occupied.

The last minute Davis decided to put Taylor in the box.

**First Innings.**

Thomas went down to first via the four-ball route. He was advanced to second on Barry's pretty sacrifice to Bowerman. Sluggish Flick slugged the ball to center for a bag, sending Thomas to third. Taylor couldn't locate the

# DEFIES DEVERY!

## NEW YORK LOSES

SCORE BY INNINGS.

PHILADELPHIA	1	0	1	0	2	3	0	0	0-7
NEW YORK	1	0	1	0	0	2	1	1	0-6

At Pittsburgh—First game: Pittsburgh, 1; Chicago, 4. Second game: Chicago, 1; Pittsburgh, 2.

LATE RESULTS AT HAWTHORNE.

Fourth Race—Nellie Waddell 1, Rosewar 2, South Trimble.

Fifth Race—Argregor 1, Jiminez 2, Haviland 3.

AT DELMAR.

Fourth Race—Wissendine 1, Rose of Red 2, Attelle 3.

JIMMY MICHAEL BREAKS BICYCLE RECORDS.

REVERE BEACH, Mass., Aug. 29.—Jimmy Michael to-day broke all records up to and including five miles for an eight-lap Coliseum track. His time for the five miles was 7 min. 18 4-5 sec., which is within seven seconds of the world's record.

## BOLD BURGLAR CAUGHT AFTER DESPERATE FIGHT.

Policeman George Beller, of the East One Hundred and Fourth street station, was asleep at his home, corner One Hundred and Forty-ninth street and Beach avenue, this afternoon when his wife aroused him and said that a burglar had just left a stable in the rear of his house with a quantity of harness.

Beller jumped out of bed and caught the burglar, whose name is John Lawlor, after a desperate fight. Lawlor was held by Magistrate Zeller in \$1,000 bail. The harness was worth \$400.

## CAPT. GANNON CORNERED IN COURT.

Hotel Webster Apparently Not the Nice Place He Pictured It.

Justice Jerome and Assistant District Attorney Garvan asked Capt. Gannon, of the East Twenty-second street station, some embarrassing questions this afternoon in the Special Sessions Court.

The Captain was placed in the witness chair at the examination of Mrs.

## POLICEMAN TELLS OF

# BRIBERY

O'Neill Fiercely Attacks the Deputy Commissioner and Declares He Will Not Be "Shaken Down"—Sees Philbin and Jerome.

The whole corrupt system in the Police Department, by which tribute is levied on patrolmen for transfers is soon to be exposed, and by a policeman who dared to hear Deputy Commissioner Devery in his court to-day and hurl defiance at him.

That such a system has been in force has long been known. It remained for Policeman Edward O'Neill, of the Bathgate avenue station, to declare it openly to-day in the teeth of Devery, and to go then before District Attorney Philbin and Justice Jerome and lay the whole notorious blackmailing scheme before them.

### "SHAKE-DOWN" AS DEFINED.

"SHAKE-DOWN"—Compound word from the "Cap's" dictionary. Defined to apply to a member of the uniformed force who has been turned upside down by orders of some one "higher up," and relieved of all his surplus cash.

In such a rage as he was when the patrolman shook his fist in his face and said he would not "stand for a shake-down."

The Deputy Shocked.

It was the first time since Devery has sat as trial judge that a member of the force ever crossed words with him. The policeman took the Deputy Commissioner by surprise. After fling the man thirty days' pay he ordered him tried for insubordination and intimated that his days were numbered on the force.

The Chief also took occasion to again denounce the people he terms "reformers." He told the policeman that he should take an axe and head a band with Carrie Nation, "the tin soldiers and other reformers" to enforce the blue laws on this island.

He characterized the enforcement of the Sunday closing ordinances as a "No, sir, no, sir," shouted Capt. Gannon angrily.

"Wasn't Turkey responsible if he failed to report to the Hotel Webster a disorderly house?"

"No more so than any of 'em," snapped Capt. Gannon.

"How many pool-rooms, gambling houses, disorderly houses and policy shops are there in your precinct?"

"None, not a one, absolutely not one. I've got a clean bill of health," replied the captain vigorously.

"Ah, so it seems," drawled Justice Jerome.

"He asked: 'Isn't the north side of Fourteenth street in your precinct?'"

"Yes, Judge, but even Inspector Thompson can't collect evidence there, nor from this Webster house."

"No, because he couldn't get any assistance from the police of the precinct. They tipped houses off."

"No tripping," thundered Gannon.

"Justice Jerome then held Mrs. Mack and Jane Doe, the two women arrested last night, in \$1,000 bail each for examination on Sept. 4.

### THE DEFIANCE OF DEVERY.

"I suppose that if I could stand a shake-down I wouldn't get thirty days' pay. I wouldn't give \$25 for a transfer." — Policeman O'Neill's speech to Devery, from the notes of Devery's official stenographer.

"bloody outrage," and intimated "they were the work of political mistle."

Policeman O'Neill, of the Bathgate avenue station, was the man who dared defy Devery. He was up on a charge of having assaulted Elias Hollender in his store, at No. 3306 Third avenue, on Sunday, Aug. 11. According to the testimony, O'Neill had beaten Hollender with his club, put him up against the wall and threatened to blow out his brains, and had also assaulted the man's seventeen-year-old boy, knocking him down with a club.

"Thirty days' pay!" thundered Devery when he heard the testimony.

O'Neill protested. Devery, surprised, said: "If you thirty days' pay. You ought to know better. What right have you to interfere with the merchants who are trying to make a living? You ought to join Carrie Nation and the other tin soldiers and reformers and mistle."

"You ought to have a little axe and lead this band. You'd make a good one. You ought to have known better. It's a bloody outrage that in a city of four million people such oppressive laws should exist. It is high time it was stopped. You ought to be off the force and then you would have plenty of time to lead this band of tin soldiers and political mistle."

Linked to Carrie Nation.

"This Carrie Nation, who came here yesterday, is crazy, and there are half a dozen others in this town whose names I might mention ought to be in the same cluster with her."

"I was enforcing the law," said O'Neill. "I had orders to enforce the law. I was simply doing my duty."

"You weren't doing your duty," shouted Devery, angrily.

"I was," yelled O'Neill. "I saw a woman buy six plates."

"I don't care if you did," thundered Devery.

"This is not a meat market now, is it?"

(Continued on Second Page.)